

**ROBERT E. ATKINSON**  
CHAPTER 7 BANKRUPTCY TRUSTEE  
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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

ROBIN LINUS LEHNER and  
DONYA TINA LEHNER,

Debtors.

Case No.: 22-14616-nmc  
Chapter 7

**MOTION TO ABANDON**

**[Item: Sports contract]**

Chapter 7 trustee Robert E. Atkinson (“Trustee”) hereby moves to abandon the following property of the estate (“Property”):

- Any interest that the bankruptcy estate has the sports contract between debtor Robin Lehner (“Debtor”) and the Vegas Golden Knights (“NHL Contract”), *excluding* any and all non-exempt portions of the Debtor’s earnings under the NHL Contract through the Petition Date, wherever held and whenever received, including, without limitation, any earnings, deferred compensation, the player’s portion of the VGK escrow, and also any and all other payments and benefits under the NHL Contract that have vested as of the Petition Date (collectively, the “Non-Exempt Earnings”).

# # # # #

DATED: January 17, 2023

By: /s/ Robert Atkinson  
ROBERT E. ATKINSON  
CHAPTER 7 BANKRUPTCY TRUSTEE

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. BACKGROUND FACTS**

- Debtor is a goalie with the hockey team Vegas Golden Knights.
- The NHL Contract is a personal-services contract, i.e., the person who is hired is the one who has to perform the work.

## II. LEGAL AUTHORITIES and ARGUMENT

3. Section 554(a) of the Bankruptcy Code provides, “after notice and a hearing, the trustee may abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.” 11 U.S.C. § 554(a). Satisfying either prong of Section 554(a) is sufficient to grant abandonment relief.

4. Under the Bankruptcy Code, personal services contracts are not assumable or assignable by the Trustee. 11 U.S.C. § 365(c)(1)(A). Thus, the future performance obligations under the NHL Contract therefore are of no value to the bankruptcy estate.

5. Because future performance obligations under the NHL Contract are of inconsequential value and benefit to the estate, Section 554(a) is satisfied, and therefore cause exists to abandon it.

6. Bankruptcy Rule 6007 provides that a trustee may give notice of a proposed abandonment of property and seek Court review and approval, subject to the right of a party-in-interest to object. Fed. R. Bank. Pr. 6007(a).

## III. RELIEF REQUESTED

WHEREFORE, the Trustee seeks a court order abandoning the NHL Contract, excluding the Non-Exempt Earnings.<sup>1</sup>

# # # # #

DATED: January 17, 2023

By: /s/ Robert Atkinson  
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<sup>1</sup> To repeat, and for the avoidance of doubt, nothing herein is intended or should be construed as a waiver, release, or abandonment of the bankruptcy estate’s rights in and to the Non-Exempt Earnings, which is defined as any and all non-exempt portions of the Debtor’s earnings under his NHL Contract through the Petition Date, wherever held and whenever received, including, without limitation, any earnings, deferred compensation, the player’s portion of the VGK escrow, and also any and all other payments and benefits under the NHL Contract that have vested as of the Petition Date.